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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/632,601	08/04/2000	RAYMOND T. HOWARD	05770-124001	2617

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FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

ADDISON, KAREN B

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 04/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/632,601

Applicant(s)

GAMBLE ET AL.

Examiner

Karen B Addison

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-10 and 25-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-10 and 25-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 5-6, 7-10, 25-31, and 33-37, is rejected under 35 U.S.C. 103(a) as being unpatentable over Pierson in view of Livingston (1,538,196).

Pierson discloses in fig. 1 a stator support system for supporting a coil comprising: a inner support tube having an outer surface (10), a plurality of spaced winding (30) supported on the outer surface of the inner support tube, spaces between the adjacent windings defining a plurality of gaps and a plurality of wedges (12) having an upper and lower edge (A & B) configured to mechanically engage the outer surface of the support tube and a circular cross support (32) positioned over the plurality of spaced windings and extending perpendicular to a longitudinal axis of the stator coil assembly. Wherein, the cross support has a first edge. Pierson do not disclose a plurality of spaced cross support members having a plurality of wedges configured with notches and a magnetic material disposed with in one channel having high permeability.

Livingston discloses in fig.1-5 a stator support system having a plurality of spaced cross support members (10) is form of iron having a magnetic material disposed in at

least one channel (13) made of iron laminate. Wherein, the magnetic material have high magnetic permeability (wire) and the wire is wound around the longitudinal axis of the inner support tube (11) within at least one channel. Livingston also discloses a plurality of wedges (12) configured with a notch (18) for the purpose of mechanically engaging the cross support. Therefore, it would have been obvious to one having ordinary skill in the arts at the time the invention was made to modify the stator system of Pierson with the teaching of Livingston for the purpose of preventing the rotation of the stator by securing the cross support and housing.

2. Claims 3,4,and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Pierson in view of Livingston as applied to claims above, and further in view of Curtiss (4134036).

As seen above, Pierson discloses a stator support system for support coils and Livingston discloses a stator support system having a plurality of spaced cross supports members. However, neither Pierson nor Livingston discloses a stator housing having a plurality of grooves and a cross support having a plurality of edges to mechanically engage in the inner surface of the housing.

Curtiss disclose in fig.1 a motor mounting device for a stator comprising: a housing (14) having an inner surface defining a radial opening with a longitudinal axis position at the center of the radial opening, a plurality of grooves (16) and a circular cross support (11) having a plurality of edges (12) to mechanically engage in the inner surface of the housing. Wherein, the cross support is formed of a high permeability material for the purpose of tightly retaining the peripheral surface of the stator. Therefore it would have

been obvious to one having ordinary skill in the art at the time the invention was made to modify the stator assembly of Pierson and Livingston with the Motor mounting device of Curtiss for the purpose of preventing the rotation of the stator.

Response to Arguments

Applicant's arguments with respect to claims 1,3-10, and 25-37 have been considered but are persuasive.

Arguments are moot in reference to Pierson and Curtiss in light of the new rejection. In response to applicant's argument that Livingston does not teach or suggest a plurality of cross supports is noted. However, Livingston clearly show's in fig.1 and plurality of cross support members (10) with spaces between adjacent cross support members defining a plurality of channels (16). Therefore, the rejection stands.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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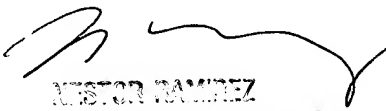
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen B Addison whose telephone number is 703-306-5855. The examiner can normally be reached on 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on 703-308-1317. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

KBA
March 27, 2003



NESTOR RAMIREZ
SUPERVISOR
TELEPHONE: 703-308-1317